

**THE HONORABLE BRIAN D. LYNCH
CHAPTER 13**

HEARING DATE: November 8, 2023

HEARING TIME: 1:30 P.M.

LOCATION: Tacoma, Washington

RESPONSE DATE: November 1, 2023

**IN THE UNITED STATES BANKRUPTCY COURT FOR THE
WESTERN DISTRICT OF WASHINGTON AT TACOMA**

In re:

GREGORY EDWIN MYKLAND II,

Debtor.

Case No.: 18-40325-BDL

NOTICE OF AND MOTION FOR DISMISSAL
PURSUANT TO 11 U.S.C. § 1307(c)

NOTICE

YOU ARE HEREBY NOTIFIED that a hearing on Trustee's Motion to Dismiss will be heard before the Honorable Brian D. Lynch at **1:30 P.M. on November 8, 2023**, at the U.S. Bankruptcy Courthouse, 1717 Pacific Avenue, Courtroom I, Tacoma, WA 98402.

IF YOU OPPOSE this motion, you must file your written response with the Court Clerk and deliver copies on the undersigned and all interested parties, **NOT LATER THAN THE RESPONSE DATE**, which is **November 1, 2023**. You should also appear at the time of hearing. If you fail to do so, the Court may enter an order granting the motion without any hearing and without further notice.

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MOTION

COMES NOW, Michael G. Malaier, the Chapter 13 Trustee and alleges as follows:

1. Debtor filed this case on **January 31, 2018**. The case was confirmed by order of the Court on **October 17, 2018**.
2. Pursuant to the Modified plan that was approved by Order on December 16, 2021, Debtor is required to make plan payments of **\$2,860.00** per month. Debtor is presently delinquent in plan payments in the amount of **\$14,680.00** as of month 69 and plan can no longer complete, supported by the Declaration filed herewith.
3. Debtor has defaulted under the terms of the Plan as follows: § 1307(c)(1) unreasonable delay by the debtor that is prejudicial to the creditors, § 1307(c)(6) failure to remit plan payments.

WHEREFORE the Trustee prays that this case be dismissed and closed.

DATED this 11th day of October, 2023 at Tacoma, Washington.



Michael G. Malaier, WSBA #34729
Chapter 13 Standing Trustee